

PATENT COOPERATION TREATY

18.06.04
17
PCT

From the INTERNATIONAL SEARCHING AUTHORITY

To:
JACOBACCI & PARTNERS S.P.A.
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ITALY

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

	Date of mailing (day/month/year)	15/06/2004
Applicant's or agent's file reference E053870-DG	PAYMENT DUE	within 30 XXXX days from the above date of mailing
International application No. PCT/IT 03/00660	International filing date (day/month/year)	24/10/2003
Applicant ISTITUTO CLINICO HUMANITAS		

1. This International Searching Authority

- (i) considers that there are 3 (number of) inventions claimed in the international application covered by the claims indicated ~~XXXX~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~XXXX~~ on the extra sheet:

- (ii) ☒ has carried out a partial international search (see Annex) ☐ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

see annex

- (iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

EUR 1.550,00 x 2 = EUR 3.100,00
Fee per additional invention number of additional inventions total amount of additional fees

Or, _____ x _____ = _____

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. ☐ Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority



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Authorized officer

Johannes Van Brummelen

ANGEBEHOR
ENCLOSURE
RECOMMENDED
REGISTERED

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-3,7-19,20-24

Motor function test system with arm rest endowed with sensor

2. Claims: 4,5, 7-19

Motor function test system with optical detectors at start and end of an established route the subject encounters

3. Claims: 6,7-19

Motor function test system with wireless transmission of signals from the sensors to the data processor

The reasons for which the inventions are not so linked as to form a single general inventive concept, as required by Rule 13.1 PCT, are as follows:

The prior art has been identified as document D1 from Lombardi et al. (Measurement on Tinetti test,2001) (see International Search report for full reference,) discloses a motor function test system with a chair, the seat is endowed with pressure sensors, means for measuring the inclination of the torso of a subject and an electronic data processor (figure 1,2;starting page 404, whole chapter 2. Design), which receives signals from the sensors and inclinometer, collects the data and processes them.

The above (1.,2.,3.) mentioned technical features of independent claims 1,4,6 make a contribution over the prior art and can be considered as special technical features within the meaning of Rule 13.2 PCT:

The problem solved by these special technical features can therefore be construed as:

I claim 1: How to support subject in getting up and receive additional data therefrom

II claim 6: How to measure walking time/ speed for a gait test

III claim 4: How to transmit data from the sensors to the data processor

There appears also to be a lack of corresponding technical effect. Examining the possible correspondence by technical effects one finds that they resemble the different problems which are solved by the technical features and therefore are different for each invention. Consequently, neither the objective problem underlying the subjects of the claimed inventions, nor their solutions defined by the special technical features allow for a relationship to be established between the said inventions, which involves a single general inventive concept.

**Annex to Form PCT/ISA/206
COMMUNICATION RELATING TO THE RESULTS
OF THE PARTIAL INTERNATIONAL SEARCH**

International Application No
PCT/IT 03/00660

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:
1-3, 7-24
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>LOMBARDI R; BUIZZA A; GANDOLFI R; VIGNARELLI C; GUAITA A; PANELLA L : "Measurement on Tinetti test: instrumentation and procedures " TECHNOLOGY AND HEALTH CARE: OFFICIAL JOURNAL OF THE EUROPEAN SOCIETY FOR ENGINEERING AND MEDICINE, vol. 9, no. 5, 2001, pages 403-415, XP008030897 Netherlands ISSN: 0928-7329 the whole document page 404, last paragraph -page 406, last paragraph; figures 1,2 page 414, paragraph 4 page 407, paragraph 3 --- -/--</p>	1-3, 7-24

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	PANELLA L., LOMBARPANELLA LORENZO; LOMBARDI REMO; BUIZZA ANGELO; GANDOLFI ROBERTO; PIZZAGALLI PAOLA : "Towards objective quantification of the Tinetti test " FUNCTIONAL NEUROLOGY , vol. 17, no. 1, January 2001 (2001-01) - March 2001 (2001-03), pages 25-30, XP008030896 Italy ISSN: 0939-5264 the whole document page 26, left-hand column, paragraph 2 -page 27, right-hand column, paragraph 1; figure 1	1-3,7-24
A	GB 2 357 848 A (SMS TECHNOLOGIES LTD) 4 July 2001 (2001-07-04) page 2, line 10 -page 3, line 2; figures 4-6 page 4, line 8 - line 23 page 6, line 11 -page 10, line 2	1,3,7-9, 17-20, 22-24
A	EP 1 195 139 A (ECOLE POLYTECH) 10 April 2002 (2002-04-10) page 2, line 1 - line 55 page 3, line 30 - line 42 page 7, line 11 -page 9, line 35 page 4, line 28 - line 34 figures 1,8,9	1,3,7, 10,15, 17-24
A	US 2002/170193 A1 (ARMS STEVEN W ET AL) 21 November 2002 (2002-11-21) page 1, paragraph 5 - paragraph 9 page 5, paragraph 58 -page 6, paragraph 74 page 7, paragraph 78 - paragraph 86 figures 2-4,6,7	1,3,7, 10-15, 17-24
A	WO 02/064032 A (SIEMENS MEDICAL SOLUTIONS USA) 22 August 2002 (2002-08-22) page 4, line 18 - line 28 page 6, line 1 - line 17; figures 1,2	3,7,18, 22
A	US 2002/055691 A1 (TASCH URI ET AL) 9 May 2002 (2002-05-09) page 4, paragraph 37; figure 1	2,16,20, 21
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**Annex to Form PCT/ISA/206
COMMUNICATION RELATING TO THE RESULTS
OF THE PARTIAL INTERNATIONAL SEARCH**

International Application No
PCT/IT 03/00660

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>US 5 919 149 A (ALLUM JOHN H) 6 July 1999 (1999-07-06)</p> <p>column 3, line 55 -column 4, line 17; figure 2 column 6, line 14 -column 7, line 20 column 9, line 19 -column 10, line 61 column 14, line 47 - line 60 -----</p>	<p>1,3,7, 10,11, 18,20, 22,24</p>

Patent Family Annex
Information on patent family members

International Application No
PCT/IT 03/00660

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
GB 2357848	A	04-07-2001	NONE	
EP 1195139	A	10-04-2002	EP 1195139 A1	10-04-2002
			AU 8946601 A	15-04-2002
			WO 0228282 A1	11-04-2002
			EP 1322227 A1	02-07-2003
			US 2004015103 A1	22-01-2004
US 2002170193	A1	21-11-2002	NONE	
WO 02064032	A	22-08-2002	EP 1359842 A2	12-11-2003
			WO 02064032 A2	22-08-2002
			US 2002115914 A1	22-08-2002
US 2002055691	A1	09-05-2002	AU 6511701 A	11-12-2001
			CA 2410533 A1	06-12-2001
			EP 1284649 A2	26-02-2003
			WO 0191640 A1	06-12-2001
US 5919149	A	06-07-1999	NONE	

Important Information

general

- the claims cannot be changed at this point in the procedure, the transmitted report is not the ISR (see Art. 19 PCT)
- non-payment does not lead to a loss of rights, a new procedure will be started on entry into the regional or national phase
- any payments have to be effected directly to this ISA (account details on separate sheets), payments to other entities will not be accepted
- in case of a total of more than 2 inventions found: when paying please specify exactly which claims should be searched
- an extension of the set time limit may be granted, however, the total number of days shall not exceed 45 days (Rule 40.3 PCT). It has to be requested in writing (preferably faxed) and must be received by this ISA within the first time limit, i.e. 30 days calculating from the date of mailing.

payment by cheque or money transfer:

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note: if you don't have a deposit account with the EPO yourself you might want to consider using the account of an associate as a safe and quick way of paying

payments under protest according to Rule 40 PCT:

- the protest will not be accepted without a payment of additional search fee(s)
- the protest has to be accompanied by a technical reasoning
- no protest fee needs to be paid yet, only additional search fee(s)

Account Details

Euro accounts of the European Patent Organisation

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